

DRAWINGS: A statement explaining the drawing amendments begins on page 9 of this Amendment.

REMARKS: Remarks begin on page 9 of this Amendment.

Specification:

- P. 2, l. 17, change : "has taken this step to a new low." To—requires shoppers to perform additional work.—.
- P. 3, l. 12, delete "flimsy,".
- P. 3, l. 16, delete "awkward".
- P. 4, l. 3, after "wheels" insert —may—.
- P. 4. l. 4, after "designs" delete —too—
- P. 4. l. 4, after "fabricate and" delete —too
- P. 4, l. 4, change "will prevent consumer adoption of" to —appear in—.
- P. 4, l. 8, change "even smaller and balkier" to —smaller—.
- P. 4, l. 10, change "problems" to —small sizes— and delete "with additional difficulties in folding his cart frame".
- P. 4, l. 13, change "'effortless', he says, then" to —He—.
- P. 4, l. 16, change "would" to —might—.
- P. 4, l. 17, change "insufficient" to —limited—.
- P. 4, l. 19, delete "but at an unacceptable cost".
- P. 4, l. 20, change "reduced" to —smaller than average—.
- P. 4, l. 23, delete "a costly solution".
- P. 4, l. 25, after "capacities" insert —we found—.

CLAIMS: *The following is a listing of all claims in the application with their status and the text of all active claims.*

1.—30. (CANCELLED)

31. (NEW) A shopping cart, comprising:

- A. a plurality of merchandise containers,
- B. a plurality of quick-attach and quick-detach locks, and
- C. a plurality of ledges affixed to the cart, each ledge positioned upon the cart to sandwich a container between a ledge and a lock, each ledge of a width and length substantially less than that of the bottom of the container, the ledge continuing to partially support the container after lock release during removal of container from cart,

whereby shoppers can select and move merchandise, check it out, load into their cars and deliver into home kitchens with minimum work and maximum convenience and maneuverability.

32. (NEW) The cart of claim 31 wherein the cart is selected from the group consisting of a folding dual-spine cart and a telescoping-spine wide-frame cart and a segmented-spine cart and a solid-spine cart and a single-wheel cart and a near-vertically-oriented cart and a

bicycle-wheel cart and a luggage cart and a three-wheel cart and a lazy susan cart and a four-wheel pyramid cart and a deep-baskets cart and an elevator cart and a fixed-length-spine cart and a hand truck.

33. (NEW) The cart of claim 31 wherein said quick-attach and quick-detach locks are selected from the group consisting of sliding locks and pivot pins and belts and slots.

34. (NEW) The shopping cart of claim 31 wherein the cart is selected from the group consisting of carts using frame materials of light-metal alloy tubing and polyethylene and polypropylene and vinyl and nylon and various impregnated and laminated fibrous materials.

35. (NEW) The cart of claim 31 wherein said merchandise containers are selected from the group consisting of perforated plastic baskets, solid plastic tubs, wire baskets, hinged-end baskets, circular trays, and baskets with a deep walled slot set into a wall.

36. (NEW) A cart for accumulating, transporting and processing burdens, comprising

- A. a plurality of means for quick-connect and quick-release retention of burdens upon the cart, and
- B. a means of partial support beneath each burden, both to cooperate with a retention means to secure that burden to the cart, and also to continue partial support after release of the retention means during removal of burden from cart, said means of partial support having substantially less width and length than the burden supported,

whereby the user may load and unload the cart without ever lifting the entire weight of a burden, by using the partial-support ledges as guides and fulcrums for leveraging burdens upward and downward, to and from their positions on the cart.

37. (NEW) The cart of claim 36 wherein the cart is selected from the group consisting of a folding dual-spine cart and a telescoping-spine wide-frame cart and a segmented-spine cart and a solid-spine cart and a single-wheel cart and a near-vertically-oriented cart and a bicycle-wheel cart and a luggage cart and a three-wheel cart and a lazy susan cart and a four-wheel pyramid cart and a deep-baskets cart and an elevator cart and a fixed-length-spine cart and a hand truck.

38. (NEW) The cart of claim 36 wherein said means of quick-connect and quick-release retention are selected from the group consisting of sliding locks and pivot pins and belts and slots.

39. (NEW) The cart of Claim 36 wherein the cart is selected from the group using frame materials of light-metal alloy tubing and polyethylene and polypropylene and vinyl and nylon and various impregnated and laminated fibrous materials.

40. (NEW) The cart of claim 36 wherein said burdens are selected from the group consisting of perforated plastic baskets, solid plastic tubs, wire baskets, hinged-end baskets, circular trays, and baskets with a deep walled slot set into a wall.

41. (NEW) A method of using a golf cart as a shopping cart, comprising

- A. selecting a cart with fixtures for securing both upper and lower ends of a golf bag to said golf cart,
- B. positioning at least one of said fixtures to serve as a partial-support ledge for a merchandise container,

- C. installing at least one quick-acting lock to cooperate with a ledge to secure a container to the cart,
- D. mounting a container to the cart by positioning a bottom edge of a container upon a ledge and closing the cooperating lock, and
- E. shopping with the cart,

whereby shoppers may convert a golf cart to a shopping cart far more convenient than most, and easily alternate back to the golf cart function with simple adjustments when needed.

42. (NEW) The method of claim 41 wherein the step of selecting is taken with a cart chosen from the group consisting of a folding dual-spine cart and a telescoping-spine wide-frame cart and a segmented-spine cart and a solid-spine cart and a single-wheel cart and a near-vertically-oriented cart and a bicycle-wheel cart and a luggage cart and a three-wheel cart and a lazy Susan-cart and a four-wheel pyramid cart and a deep-baskets cart and an elevator cart and a fixed-length-spine cart and a hand truck.

43. (NEW) The method of Claim 41 wherein the step of installing is taken with a lock selected from the group

consisting of sliding locks and pivot pins and belts and slots.

44. (NEW) The method of Claim 41 wherein the cart is selected from the group consisting of carts using frame materials of light-metal alloy tubing and polyethylene and polypropylene and vinyl and nylon and various impregnated and laminated fibrous materials.

45. (NEW) The cart of claim 41 wherein the merchandise containers are selected from the group consisting of perforated plastic baskets, solid plastic tubs, wire baskets, hinged-end baskets, circular trays, and baskets with a deep walled slot set into a wall.

DRAWINGS

Examiner's objections to the drawings were based upon ten hardware devices claimed but not shown in drawings. All ten have now been removed from claims, so that original drawings now show all elements claimed.

REMARKS –General

By this Amendment, applicant has focused upon a single invention during rewriting of all claims, defining that single invention more particularly and distinctly, so as to overcome the technical rejections and define the invention patentably over the prior art. Examiner's objections to the drawings have been satisfied by removal from claims of all hardware devices not shown in drawings. The specification has been edited to strike all derogatory remarks concerning the prior art. New claims in the Markush format have been reduced and narrowed to proper clarity. A Supplemental Information Disclosure is discussed in this Amendment and enclosed in the envelope with this Amendment.

New Operating Principle overcomes McArthur and Watson Rejections

Applicant's carts operate on a new principle not taught by McArthur, Watson, or any others, thereby blazing a trail into new cart territory. The hardware components enabling the new operations are shown in Fig. 1 and identified as "folding platforms, ledges, or basket support shelves 43L and 43U" on page 9. Similar ledges are shown on other embodiments in

Figs. 3, 4, 5, 6, 8 (partially), and 12. McArthur and Watson lack any such hardware.

Operation of the preferred embodiment cart using the new principle is described in the specification at pages 9 and 10. Here is a brief summary: The ledge supports part of a basket's weight after release of the sliding lock. The shopper then slides the basket in the desired direction, tilts it upward or downward toward the checkout counter, car-trunk sill, kitchen counter or kitchen table – all while using the ledge as partial-weight-supporting guide and fulcrum. The small size of the ledge and its curved corners are major essentials for basket-handling flexibility. An additional factor, present in applicant's working model but not shown in the drawings, assists with basket positioning. The working model's ledges slide higher or lower along the spinal rails, with ledge positions then fixed by cam locks. The result of levering baskets upward and downward from cart to another surface, and from surface to cart, is that the user is spared from ever lifting the full weight of a loaded basket.

Most tall carts, including McArthur's and Watson's, appear to have been designed for use by strong men ready to carry the full weight of loads to and from the cart. Our carts protect all shoppers from that full lifting, which could not be accomplished without our fulcrum/ledges. This invention shows its weight-easing ability most dramatically when a heavily loaded upper basket, its bottom at about kitchen-table height, is transferred from the cart parked beside the table. With lock released and basket tilted on its fulcrum ledge, the basket slides almost horizontally from cart ledge to table top, with most weight borne by cart and table throughout the transfer.

Novelty of cart attracts fellow shoppers and store clerks

For more than a year applicant and his wife have done all their shopping with the working model. Every outing has been marked by one or more unsolicited approvals offered by fellow shoppers. "Good for my elderly parents." "Labor-saver." "Spare you from back-strain." The invitingly open character of our baskets, and the ease of transfer of one or both baskets to and from the checkout counter, has unexpectedly excited many checkout clerks, and enlisted more than their usual cooperation. Some in our favorite grocery supermarket now regularly expect us to load our cart with all package bar codes showing. They shoot all codes with their handgun code readers, so we rarely unload anything from the cart at checkout in that store. We did not imagine this level of convenience possible until the cart actually began to accomplish it.

Evaluating Humphries, Shaffer, Hsaio, Hallberg, Clegg and Harlan

Applicant has studied the teachings of all of the above, cited by Examiner as pertinent but not relied upon. We submit that none offers the hardware necessary to utilize the laborsaving new operating principle of our carts. Thus they fail to show applicant's invention or render it obvious.

New Disclosure of Seydel compared with applicant's carts

U.S. Patent 5,160,154 to Seydel (1992) initially suggests a similarity to applicant's preferred embodiment and related carts, because Seydel holds

rectilinear containers in place using upper locks and underside supports for the containers. However, his carts are unable to use applicant's new operating principle. His long shelves and long horizontal posts prevent most of the leverage-type angular slides and rotations needed for container transfers to and from checkout counters, car-trunk sills and home tables. Further restriction results from his strict vertical stacking, as opposed to applicant's baskets openly disposed along diagonal mounts.

More specifically, he states that his supports project forward "slightly more or less" than the full width of his container bottoms. The width of his supports ranges from that of a small post to a shelf several inches wide. These large supports cause a container, after release from his lock, to be moved almost entirely across and clear of the support before it can be freely tilted toward its next location. A heavily loaded container could thus force the cart aside at that moment of tilting, dropping all its weight into the user's hands. By contrast, applicant's container turns in place against the cart spine after lock release, tilting almost as though hinged to the spine, displacing the load's center of gravity very little, maintaining secure support on its ledge at the moment when Seydel's container may lose its fulcrum.

Unobviousness supported by Additional Factors

Beyond our new principle of operation, additional factors identify this invention as unobvious. These include a very crowded art, with none of it teaching toward our laborsaving approach, and the fact that shoppers' problems have never been defined as requiring a complete shop-to-checkout-

to-car-to-home-garage-to-home-kitchen cart solution. This invention solves a problem not previously recognized or defined as a goal of invention.

Crowded art

One quick indicator of crowding in this art is that the worldwide database of the European Patent Office website currently shows 1,449 patents containing the term “shopping cart” either in the patent’s title or abstract. Another indicator is the simplicity of the cart as a mechanism, which warrants its history as stretching back centuries into antiquity.

Conclusion

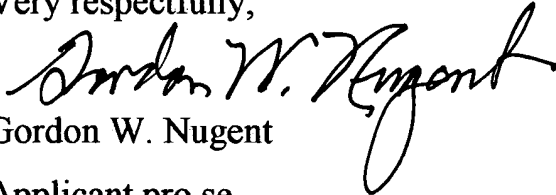
For the above reasons, applicant submits that the specification and claims are now in proper form, and that the claims all define patentably over the prior art. Therefore applicant submits that this application is now in condition for allowance, which action he respectfully solicits.

Finally, applicant hopes it may be permissible for him to express gratitude to Examiner for Examiner’s superior understanding of relevant art. Applicant considers that Examiner’s rejection of all thirty previous claims has forced applicant to reach a plainer insight into the real nature of his own invention. The gratitude is rooted in applicant’s belief that a patent thus forged under pressure will better withstand any future adversity.

Conditional Request for Constructive Assistance

Applicant has amended the specification and claims of this application so that they are proper, definite, and define novel structure which is also unobvious. If, for any reason, this application is not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner pursuant to M.P.E.P 706.03(d) and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

Very respectfully,



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Commissioner for Patents

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Thursday, September 29, 2005

Inventor's signature:

